



# Social Housing Regulation Review

## About VACRO

VACRO is an independent, non-profit organisation created in 1872. We support people in contact with the criminal justice system and their families to create new beginnings and stronger communities.

Our work provides the support people need to get their lives back on track, and recognises the role all members of a community play in successful reintegration.

We provide programs in four broad categories:

- Returning to community: we deliver tailored pre-release support to adults in prison, and provide a case manager to support people post-release.
- Strengthening family connection: we support family visits in prison, provide family counselling and provide specific assistance to Aboriginal families visiting their loved ones.
- Returning to work: we run two social enterprises to build job skills, and connect Aboriginal people with employment pathways after prison.
- Supporting disability: we assist people with disabilities to navigate the criminal justice system.

VACRO's services provides practical support driven by long-term thinking. Our research, policy and advocacy work imagines a fairer future through systemic change. VACRO's work benefits individuals, their families, and whole communities.

VACRO welcomes the opportunity to submit to the Social Housing Regulation Review. Our expertise in delivering housing support to people preparing for and working through release from prison situates us well to offer a perspective on how the current social housing system works for our participants.

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## Scope of our submission

VACRO's key programs are part of the Corrections Victoria Reintegration Pathway (CVRP), meaning we deliver programs designed to help our participants achieve self-defined outcomes related to Corrections Victoria's seven critical reintegration domains. One of these domains is housing, but we also consider safe and stable housing a prerequisite to good outcomes in the other domains, which are employment, education and training, independent living skills, mental health, alcohol and drugs, and family/community connectedness.

Supporting our participants to find and then maintain housing are the two biggest challenges our case managers face. Our experience is that secure social housing tenancies – particularly public housing tenancies – are the best option for many of our participants to create new beginnings after prison. This experience is supported by recent research published by the Australian Housing and Urban Research Institute, which found that people who receive public housing after a prison sentence have better criminal justice outcomes than others who do not.<sup>1</sup>

Despite this evidence, there are a number of seemingly insurmountable systemic barriers to our participants accessing social housing and we have discussed these at greater length in our contributions to the Inquiry into Homelessness in Victoria and the Inquiry into Victoria's Criminal Justice System.<sup>2</sup> For the purposes of the Social Housing Regulation Review, we intend to focus our response on Consultation paper 2, Section 4.1.2: Housing allocations. We will be considering the following consultation questions with regard to our participants:

- Are the policies and processes underpinning the Victorian Housing Register working well to allocate people to housing across the public and community housing systems? If not, what changes need to be made?
- Are the current categories for priority access appropriate?
- Is the level of flexibility for community housing providers to allocate prospective tenants from the Victorian Housing Register appropriate? If not, what changes are needed?

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<sup>1</sup> <https://www.ahuri.edu.au/research/final-reports/361>

<sup>2</sup> <https://www.vacro.org.au/submissions>

## Policy context and issues

### The ReConnect program

ReConnect supports people to successfully settle back into their communities after being released from prison. It is a voluntary program available to people with high and complex transitional needs, who work one-on-one with a case manager to develop and achieve their reintegration goals over a period of between one and 12 months.

VACRO delivers the ReConnect program in the Barwon South West and Grampians regions. These regions include the Director of Housing's Divisions of Barwon, Central Highlands, and Wimmera South West. This means that we provide housing support to ReConnect participants in any prison in Victoria who are released into these regions, which include major urban hubs like Ballarat and Geelong, smaller towns like Warrnambool and Horsham, and large rural areas.

The scale of the housing problem faced by our participants cannot be over-stated. Publicly available linked data on post-prison homelessness in Victoria is extremely limited, but a survey published by the Australian Institute of Health and Welfare (AIHW) in 2019 found that 54% of people leaving prison in Australia expected to be homeless when released.<sup>3</sup> In 2015 the Victorian Ombudsman also estimated that 22% of men and 44% of women leaving prison in Victoria were homeless even after receiving intensive post-prison support.<sup>4</sup>

ReConnect participants have higher needs than most of the prison population, and more than 80% of our participants face primary or secondary homelessness on their release from prison. Six months before they are released, they can lodge a Priority Access application to the Victorian Housing Register (VHR) by providing a letter of incarceration and using the category 'homeless with support'. This application is usually filled out by housing workers in the prisons and handed over to us just prior to release, when our participants come into ReConnect and we sign a 'change of support' form. ReConnect case managers then take over responsibility for their housing and support them to find accommodation while they wait for – and often give up on – social housing.

### Housing options for our participants

The best post-release housing option for many of our participants is a public housing tenancy. Our experience has always been that those of our participants who have the security and stability of a public housing unit have a safe base from which to work towards their other reintegration outcomes: to engage with alcohol and other drug services, to attend to their mental health, to

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<sup>3</sup> Australian Institute of Health and Welfare, *The health of Australia's prisoners 2018*. Available at: <https://www.aihw.gov.au/reports/prisoners/health-australia-prisoners-2018/summary>

<sup>4</sup> Victorian Ombudsman, *Investigation into the rehabilitation and reintegration of prisoners in Victoria*, 2015, 103-104, citing statistics from Corrections Victoria Intensive Transitional Support Programs, Quarterly Correctional Reports, Financial year 2013-14, 102.

connect with family and community, and to find employment. With the immediate pressure of finding somewhere to sleep gone, our participants are less likely to return to environments in which they previously offended or to activities in economies that are criminalised, which in turn improves community safety. This experience has been supported strongly by recent AHURI research, which found that public housing 'flattens the curve' of average predicted police incidents for people leaving prison (down 8.9% per year), time in custody (down 11.2% per year), and justice system costs per person (down \$4,996 initially, then a further \$2,040 per year).<sup>5</sup>

However, the lack of available public housing stock means that public housing is almost never available to our participants immediately upon release from prison. Instead, a best-case housing pathway after prison looks something like this:

### 1. A temporary stay in a local motel

Motels and caravan parks are often the only option available to our participants on the first few days after release, other than rough sleeping. Motel stays tend to be jointly funded by ReConnect and their local Housing Entry Point, and are getting longer and longer as the bottleneck to other housing options tightens. Availability is also seasonal; when the Geelong Football Club plays at home, or over the summer season in Warrnambool, hotels, motels, and caravan parks become unavailable to us. Last year, two of our participants were offered tents by the Housing Entry Points due to a lack of housing options. We were able to offer those participants extended motel stays instead, but only because of temporary COVID-19-related housing funding from Corrections Victoria.

### 2. A place in time-limited crisis accommodation

It is highly unlikely that our participants will be able to secure longer-term housing in the months after their release, and their best option at this stage is likely to be crisis accommodation or a rooming house. This accommodation can be extremely unsuitable, exposing them to illicit and illegal activity that puts them at a much higher risk of re-offending. With our participants spending longer in motel and crisis accommodation, we are witnessing greater issues with mental health and with other reintegration domains as a result. They are effectively left in limbo, unable to execute the plans they developed with us before their release.

### 3. Months or years in a transitional housing property

If a spot opens up, we are able to get our participants into transitional housing for people leaving prison. Properties provided through the Corrections Victoria Housing Program (CVHP) are owned by the government, funded by Corrections Victoria, and managed by community housing

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<sup>5</sup> <https://www.ahuri.edu.au/research/final-reports/361>

providers. In our region, they are extremely limited; at the time of writing, our case managers counted just two units in Ballarat and four in Geelong. Transitional housing is meant to be just that – transitional – but increasingly our participants are staying for months or even years. One notable example is a VACRO ReConnect participant who filled out his first application for public housing in 2012, his release year, and secured a public housing tenancy this year, in 2021, after years in and out of CVHP properties.

#### 4. A secure move into public housing

The social housing crisis in Victoria is well-documented.<sup>6</sup> In our regions in June 2021, there were 7,453 households waiting for social housing on the VHR, and 4,935 (66%) of those are Priority Access applications.<sup>7</sup> A further 991 households are waiting for a transfer. Even if every social housing unit in the Barwon, Central Highlands, and Wimmera South West regions were vacant – some 10,784 units – the households currently on the waiting list would almost fill them all back up. Of course, this is not remotely the case – in 2019-20, just 694 new allocations and were made in the entire West division, which also includes western metropolitan Melbourne hubs like Footscray and Sunshine.<sup>8</sup>

In rural and regional areas, access to social housing can be even further constrained than it is in the rest of state. In some areas there is less stock available; for example, just 3% of housing stock in Greater Geelong is classified as social housing, compared to 3.5% state-wide.<sup>9</sup> In some areas the stock is unsuitable to match the need; most social housing properties in both the Barwon and Central Highlands regions have historically been 3-bedroom houses, which work well for our participants with families, but there are very few 1-bedroom units available that would be suitable for an individual leaving prison.<sup>10</sup> Increasingly at VACRO we are working on accessing private rental for our participants because public housing is, as one ReConnect case manager described it, “just unrealistic”. Given the proven positive association between a public housing tenancy and desistance from crime, this is a real blow to our participants, their families, and communities.

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<sup>6</sup>[https://www.parliament.vic.gov.au/images/stories/committees/SCLSI/Inquiry\\_into\\_Homelessness\\_in\\_Victoria/Report/LCL\\_SIC\\_59-06\\_Homelessness\\_in\\_Vic\\_Final\\_report.pdf](https://www.parliament.vic.gov.au/images/stories/committees/SCLSI/Inquiry_into_Homelessness_in_Victoria/Report/LCL_SIC_59-06_Homelessness_in_Vic_Final_report.pdf)

<sup>7</sup> <https://www.housing.vic.gov.au/victorian-housing-register-and-transfer-list-local-area-june-2021>

<sup>8</sup> State Government of Victoria, Housing Assistance: Additional Service Data 2019-20 (Melbourne, VIC: Department of Health and Human Services, 2021), 24, <https://www.dhhs.vic.gov.au/housing-assistance-additional-service-delivery-data2019-20>

<sup>9</sup>[https://www.parliament.vic.gov.au/images/stories/committees/SCLSI/Inquiry\\_into\\_Homelessness\\_in\\_Victoria/Submissions/S292 - City of Greater Geelong Redacted.pdf](https://www.parliament.vic.gov.au/images/stories/committees/SCLSI/Inquiry_into_Homelessness_in_Victoria/Submissions/S292_-_City_of_Greater_Geelong_Redacted.pdf)

<sup>10</sup> State Government of Victoria, Housing Assistance: Additional Service Data 2019-20 (Melbourne, VIC: Department of Health and Human Services, 2021), 24, <https://www.dhhs.vic.gov.au/housing-assistance-additional-service-delivery-data2019-20>, see also [https://www.parliament.vic.gov.au/images/stories/committees/SCLSI/Inquiry\\_into\\_Homelessness\\_in\\_Victoria/Submissions/S289 - Ballarat Community Health Redacted.pdf](https://www.parliament.vic.gov.au/images/stories/committees/SCLSI/Inquiry_into_Homelessness_in_Victoria/Submissions/S289_-_Ballarat_Community_Health_Redacted.pdf) and <https://www.michaelasettle.com.au/media/4bypqgat/210806-housing-affordability-in-the-ballarat-region-community-and-practitioner-perspectives.pdf>

Long-term community housing is an even less likely outcome for our participants. Our ReConnect case managers relate that they have never placed a participant in a regular community housing tenancy and were not aware of any long-term community housing available to our participants in our regions. We were unable to confirm whether this is because of lack of availability (there is significantly less community housing than public housing in our regions) or because community housing providers choose not to take our participants from the VHR.

The chronic lack of available housing undermines the work we and our participants do and is directly connected to recidivism. The first weeks and months post-release are vital: it's when participants are motivated to change. If they can't start their new life securely, the risk of reversion to past harmful behaviours increases. Furthermore, recent academic research carried out in Victoria identified not only that incarceration increases the possibility that a person will become homeless, but that the risk of homelessness *increases further* six months after release from prison, when unstable housing arrangements like motel or crisis accommodation come to an end.<sup>11</sup> Unfortunately, the vast majority of VACRO's ReConnect participants are transitioned out of the program by the six-month mark when their support package and funding end.

## Allocation and assessment problems

The problem of the lack of housing options is compounded by an allocation and assessment process that does not take into account the unique characteristics and circumstances of our participants. A number of examples are listed below.

### 1. Timing of public housing offers

As discussed above, the overwhelming issue with the timing of public housing offers is that they happen too late, if at all. However, we do sometimes experience public housing tenancies being offered while our participant is still incarcerated and cannot take up the offer. There is no mechanism in the current system for the offer to be held until the participant is released or for their application to then be prioritised upon release. The general allocation process is not at present able to take into account the often uncertain timeline of an incarcerated person's release.

### 2. Problems with parole

Many of our participants are subject to problems with housing and parole. People who fill out an application to the VHR because they are applying for parole will have a letter attached to their application that outlines their parole restrictions. They must have housing to be eligible for parole, but many are unable to secure it in time, meaning they serve their parole period in prison. When

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<sup>11</sup> Moschion & Johnson (2019), 'Homelessness and Incarceration: A Reciprocal Relationship?', *Journal of Quantitative Criminology*, 35 (4), 855-887.

they come out of prison afterwards on 'straight release', they are no longer subject to those parole restrictions. However, their parole letter is still attached to their housing application and cannot be removed. This can limit housing options for them but is generally preferable to withdrawing and redoing the application, joining the back of the queue once again.

### 3. Environmental scans

Our participants who have been convicted of sex offences may require environmental scans to be done on properties to ensure they are able to take the tenancy on. However, the letters of incarceration that are initially attached to VHR applications don't specify this requirement and this can significantly delay their finding housing. This is another small but important example of the way in which the allocation system as it stands is not designed for our participants or able to account for their unique circumstances.

## Policy recommendations

### 1. A separate and specialized allocation and assessment process for our participants

One of the consultations paper's questions refers to whether the policies and processes underpinning the Victorian Housing Register are working well to allocate people to housing across the public and community housing systems. We have provided evidence from the frontline of our program and service delivery to show that the allocation and assessment process is not currently fit for purpose for our participants. The regulations are not designed to accommodate people who are applying to the VHR from prison.

We believe there should be a separate and specialized allocation and assessment process for our participants. This process should start in prison where people who will need housing post-release should have their needs assessed and suitable accommodation sourced for them. There should be public housing units targeted to people leaving prison to ensure they have a safe and secure environment after their release in which to create new beginnings and focus on achieving their desired outcomes across Corrections Victoria's reintegration domains. The application process for such housing should factor in the many different characteristics of each individual's parole, release, and reintegration journey.

### 2. Many more Corrections Victoria Housing Program properties provided through community housing providers

For our first recommendation to function in practice, there need to be many more properties made available through the Corrections Victoria Housing Program. Transitional accommodation that is specialized for people leaving prison while they wait for public housing would help ensure that our participants are in stable living situations in the first months after their release and are not relegated to motels, caravan parks, and rooming houses where they are at higher risk of disengaging from services, becoming homeless, or reoffending.

### 3. Significant investment in building public housing in our regions

No amount of tinkering around the edges of the system will solve the fundamental problem of the lack of available public housing in Victoria. The significant investment attached to the Big Housing Build will still not bring the proportion of Victoria's social housing stock to the national average of 4.2%, which is already considerably lower than the OECD average of 6%.

Within the parameters of the Big Housing Build, we encourage the government to ensure that regional and rural areas receive a fair proportion of the new stock and that the stock is built to match need in the regions, with more 1-bedroom units brought online.